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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

WALTER RENIERY CACERES,

Defendant.

CASE NO. 1:23-CR-00143-JLT-SKO

STIPULATION CONTINUING CHANGE OF PLEA
HEARING

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a change of plea hearing on April 29, 2024.
2. By this stipulation, defendant now moves to continue the change of plea hearing to May 13, 2024, and exclude time between April 29, 2024, and May 13, 2024, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes reports, photographs, videos, audio recordings, criminal history records, etc... All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.
 - b) Counsel for defendant was appointed on or about July 19, 2023. As a result,

counsel for defendant desires additional time consult with his client, review discovery, conduct research into potential pretrial motions, engage in pretrial plea negotiations, and prepare for the change of plea hearing.

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of April 29, 2024 to May 13, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: April 24, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ ANTONIO J. PATACA
ANTONIO J. PATACA
Assistant United States Attorney

Dated: April 24, 2024

/s/ DOUGLAS FOSTER
DOUGLAS FOSTER
Counsel for Defendant
WALTER RENIERY
CACERES

ORDER

IT IS SO FOUND AND ORDERED.

IT IS SO ORDERED.

Dated: **April 24, 2024**


UNITED STATES DISTRICT JUDGE